

LAW OFFICE OF GREGORY JAVARDIAN, LLC  
By Mary F. Kennedy, Esquire  
Attorney I.D. # 77149  
1310 Industrial Blvd.  
1<sup>st</sup> Floor, Suite 101  
Southampton, PA 18966  
(215) 942-9690  
Attorney for Citizens Bank of Pennsylvania

---

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:  
Howard C. Chinn  
Debtor(s)

Chapter 13 Proceeding  
17-16376 MDC

**STIPULATION BY AND BETWEEN HOWARD C. CHINN AND CITIZENS  
BANK OF PENNSYLVANIA**

WHEREAS, Citizens Bank of Pennsylvania ("Movant") holds a first mortgage on the Debtor's property located at 1469 Catlin Way, Dresher, PA 19025;

WHEREAS, the Debtor's Plan dated September 18, 2017 provides for Debtor to make the monthly post-petition mortgage payments directly to Movant;

WHEREAS, the Debtor has fallen behind on his monthly post-petition mortgage payments to Movant and would like an opportunity to cure the post-petition arrears; and

WHEREAS, to avoid the cost and time associated with a Motion for Relief from Stay the parties are entering into this Stipulation for the cure of the post-petition arrears.

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. Upon approval by the United States Bankruptcy Court of the within

Stipulation, Debtor and secured creditor, Citizens Bank of Pennsylvania, agree to the following:

(a) Debtor(s) acknowledges that the current regular monthly post-petition mortgage payment is \$2,655.70 per month. The monthly payment is subject to change in accordance with the terms of the Note and Mortgage.

(b) Debtor(s) acknowledge that debtor(s) is currently due for the following amounts post-petition:

2/5/2018 payment	\$2,655.70
3/5/2018 payment	\$2,655.70
4/5/2018 payment	\$2,655.70
TOTAL	\$7,967.10

(c) Commencing with the May 5, 2018 payment the Debtor(s) shall resume and shall continue to make all regular monthly post petition mortgage payments when they are due in accordance with said Note and Mortgage.

(d) Within fifteen (15) days of the Court's approval of this Stipulation, Debtor(s) shall amend the Plan to provide for the payment of the post-petition arrears of \$7,967.10 to Movant through the Plan.

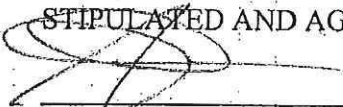
(e) Within fifteen (15) days of the Court's approval of this Stipulation Movant shall amend its Proof of Claim to add the \$7,967.10 in post-petition arrears to its arrears claim.

(f) All payments from Debtor(s) to Citizens Bank of Pennsylvania its successors and/or assigns shall be in the form of certified funds or Trustee checks if conduit payments.

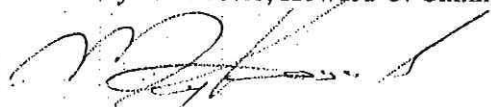
- (g) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.
- (h) The Debtor(s) shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not timely made, Movant may provide the Debtor(s) and their counsel with fifteen (15) days written notice of default. If the default is not cured within the fifteen (15) day period, Movant may certify the default to this Court and an Order shall be entered granting Citizens Bank of Pennsylvania its successors and/or assigns relief from the automatic stay without further notice and hearing.
- (i) Should Citizens Bank of Pennsylvania its successors and/or assigns be granted relief from the stay after filing a Certification of Default in accordance with paragraph 2(h) above, the parties agree that the said relief order shall include the following language: "bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non Bankruptcy law." Debtor(s) have the right to object to any certificate of default filed by Movant.

(j) The parties agree that a facsimile may be submitted to the Court as if it were an original.

STIPULATED AND AGREED TO BY:

  
Alan B. Liss, Esquire  
Attorney for Debtor, Howard C. Chinn

Date: 4/18/2018

  
Mary F. Kennedy, Esquire  
Attorney for Citizens Bank of Pennsylvania

Date: 5/2/2018

  
William C. Miller, Esquire  
Trustee

Date: 5/11/18

**\*without prejudice to any  
trustee rights or remedies**

On this 17th day of May, 2018, approved by the Court.



United States Bankruptcy Judge  
Magdelene D. Coleman

cc: Mary F. Kennedy, Esquire  
1310 Industrial Blvd.  
1<sup>st</sup> Floor, Suite 101  
Southampton, PA 18966

Alan B. Liss, Esquire  
Brenner & Brenner, P.C.  
1420 Walnut Street, Suite 720  
Philadelphia, PA 19102

William C. Miller, Esquire  
Chapter 13 Trustee  
P.O. Box 1229  
Philadelphia, PA 19105